

ORIGINAL

17 MAG. 5290

Approved: Sam L. Raymond

SAMUEL L. RAYMOND

Assistant United States Attorney



Before: SARAH NETBURN
 United States Magistrate Judge
 Southern District of New York

DCC # _____

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 UNITED STATES OF AMERICA

- v. -

TASLEEM KHAN,

Defendant.

: SEALED COMPLAINT: Violation of 18 U.S.C.
: § 1343: COUNTY OF OFFENSE:
: Bronx

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 SOUTHERN DISTRICT OF NEW YORK, ss.:

MASON POSILKIN, being duly sworn, deposes and says that he is a Criminal Investigator with the United States Attorney's Office for the Southern District of New York ("USAO"), and charges as follows:

COUNT ONE

(Wire Fraud)

1. On or about June 3, 2017, in the Southern District of New York and elsewhere, TASLEEM KHAN, the defendant, willfully and knowingly having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire and radio communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, KHAN represented to an individual posting cellular phones for sale on Craigslist that he was an interested purchaser, but when KHAN met with the individual, he

impersonated a law enforcement officer and fraudulently obtained the cellular phones through deception and verbal threats.

(Title 18, United States Code, Section 1343)

The bases for my knowledge and the foregoing charge are, in part, as follows:

2. I am a criminal investigator with the United States Attorney's Office ("USAO") for the Southern District of New York, and have been in that position since August 2016. Previously, I was a Special Agent with the U.S. Department of Labor ("DOL") for over four years. While with the USAO and DOL, I have participated in investigations of wire fraud.

3. I am familiar with the facts and circumstances set forth below from my participation in the investigation of this case, including my participation in interviews and my review of documents and records; from my conversations with other law enforcement attorneys, officers, and staff, including investigators with the New York City Police Department ("NYPD"); and my review of summaries and analyses prepared by NYPD as part of this investigation. Because this Complaint is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

Summary of the Scheme to Defraud

4. From my involvement in this investigation, I have learned that TASLEEM KHAN, the defendant, appears to have perpetrated and attempted to perpetrate a scheme to defraud individuals who post cellular phones for sale on Craigslist. On at least two occasions, KHAN has responded, via email, text message, or telephone calls, to postings by victims acting as an interested buyer. See *infra* ¶¶ 5a, 6a. KHAN agreed to meet the victims at an agreed-upon location. See *infra* ¶¶ 5a, 6a. When he arrived, KHAN posed as a law enforcement officer, displayed a shield or badge, told the victims the cellular phone(s) had been stolen, and threatened the victims with legal action. See *infra* ¶¶ 5b, 6b. On one occasion, KHAN then took the phones. See *infra* ¶ 5b. On the other, KHAN attempted to take the phone, but did not because a real police officer appeared on the scene. See *infra* ¶ 6b.

The Investigation

5. From speaking with an NYPD detective ("Detective-1") and reviewing reports written by other NYPD officers, I have learned that NYPD officers spoke with a man who resides in the Bronx ("Victim-1"). According to NYPD reports, on June 3, 2017 Victim-1 reported to an officer with the NYPD's 46th Precinct, among other things, the following:

a. On or before June 3, 2017, Victim-1 posted a number of cellular phones for sale on Craigslist.¹ Victim-1 received text messages from an interested party. Victim-1 agreed to meet with the interested party to sell two cellular phones on June 3, 2017 near 2155 University Avenue in the Bronx at approximately 4:20 p.m. Victim-1 went to the pre-arranged meeting place accompanied by a friend ("Witness-1").

b. At the arranged meeting time and place, Victim-1 observed a man, later identified as TASLEEM KHAN, the defendant, *see infra* ¶¶ 7-12, wearing sunglasses exiting a white sedan. KHAN said he needed to check the International Mobile Equipment Identity numbers on the cellular phones. KHAN then displayed a gold-like shield and informed Victim-1 that he was a law enforcement officer and asked Victim-1 where he had obtained the cellular phones. Victim-1 said that he owned the cellular phones. KHAN took the phones into the white sedan, and after approximately two minutes left the sedan and told Victim-1 the phones were reported as stolen property. Around this time, Witness-1 began to record the incident on his cellular phone camera, including part of KHAN's conversation with Victim-1 and KHAN walking behind and next to the sedan. After Witness-1 stopped recording, KHAN drove away with the phones.

6. I have reviewed NYPD records that show that on or about July 7, 2017, an NYPD officer assigned to the case ("Officer-1") spoke via telephone with a man who resides in Queens ("Victim-2"). Victim-2 reported, among other things, the following:

a. On or before June 29, 2017, Victim-2 posted a cellular phone for sale on Craigslist. Victim-2 received text messages from an interested party. Victim-2 agreed to meet with

¹ Based on my training and experience, I know that Craigslist is an online forum which, among other things, allows individuals to list items for sale.

the interested party to sell the phone on June 29, 2017 near 74th Street and Roosevelt Avenue in Queens at approximately 5:30 p.m.

b. At the arranged time and meeting place, Victim-2 observed a man, later identified as TASLEEM KHAN, the defendant, *see infra* ¶¶ 7-12, exiting a white Ford Crown Victoria with New Jersey license plates. KHAN said he needed to check the International Mobile Equipment Identity numbers on the cellular phone to see if it was stolen. KHAN took the phone into the vehicle, and returned to tell Victim-2 to enter the vehicle because the phone was stolen. Victim-2 refused, and called 911 requesting the police. KHAN told Victim-2 that he was a law enforcement officer, displayed a gold-like shield, and demanded Victim-2 enter the vehicle. Victim-2 flagged down a passing police car. When the police car stopped, KHAN returned the phone to Victim-2, entered the car, and drove off. Victim-2 did not stop to speak with the police officer in the passing police car, because he was happy to have his phone back.

Identification of KHAN as the Wire Fraud Perpetrator

7. Witness-1 shared with NYPD officers the cellular phone camera video he recorded of the man who perpetrated the June 3, 2017 fraud. I have reviewed the video, which shows a man, since identified as TASLEEM KHAN, the defendant, *see infra* ¶ 12, walking next to a white sedan. The white sedan has a New Jersey license plate, with a particular license plate number (the "License Plate").

8. I have reviewed records that show that the License Plate is registered to a 1998 Mazda at a particular address in Lumberton, New Jersey (the "Address"). An NYPD officer checked license plate reader databases, and found two pictures of a white Ford Crown Victoria with the License Plate in the greater Manhattan area.

9. I have reviewed NYPD records that show that NYPD officers created a poster depicting the man who perpetrated the June 3, 2017 fraud, based on a still photo from the video taken by Witness-1 (the "Wanted Poster").

10. I have reviewed NYPD records that show that on or about June 15, 2017, Officer-1 contacted the Lumberton, New Jersey Police Department, and requested that a Lumberton police officer drive past the Address. That same day, a Lumberton officer called Officer-1 and told him that there was a white

Ford Crown Victoria in the Address's driveway, with a license plate number that was different from the License Plate.² That license plate is registered to a 2006 Ford Crown Victoria, at the Address in Lumberton, NJ. The Lumberton police officer reported to Officer-1 that the person known to operate this vehicle is TASLEEM KHAN, the defendant. After reviewing an image of the Wanted Poster, the Lumberton police officer told Officer-1 that the man in the Wanted Poster was TASLEEM KHAN, the defendant.³

11. I have reviewed NYPD records which show that KHAN was previously charged for offenses in New York State on or about September 4, 2015, and gave his address as the Address.⁴ I have also reviewed records from the Department of Homeland Security that show the last known address for KHAN is the Address.

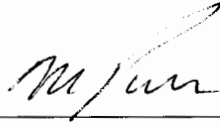
12. I have reviewed NYPD reports, which indicate that on or about July 8, 2017, Officer-1 and another NYPD detective ("Detective-2") spoke with Victim-2. Detective-2 has not been involved in the investigation of the fraud. Detective-2 presented Victim-2 with a photo array, outside the presence of Officer-1. Victim-2 selected TASLEEM KHAN, the defendant, as the man who attempted to steal his phone on June 29, 2017.

² Based on my training and experience, I know that individuals who engage in criminal activity sometimes change their license plates when doing so, in order to evade detection by law enforcement.

³ The Lumberton police officer indicated that he had numerous interactions with TASLEEM KHAN.

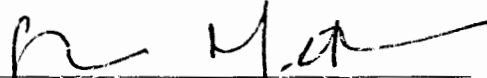
⁴ KHAN was also arrested for offenses on or about September 18, 2013 and gave a different New Jersey address.

WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of TASLEEM KHAN, the defendant, and that he be arrested and imprisoned or bailed, as the case may be.



MASON POSILKIN
Criminal Investigator
United States Attorney's Office
Southern District of New York

Sworn to before me this
17th day of JULY, 2017



THE HONORABLE SARAH NETBURN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK